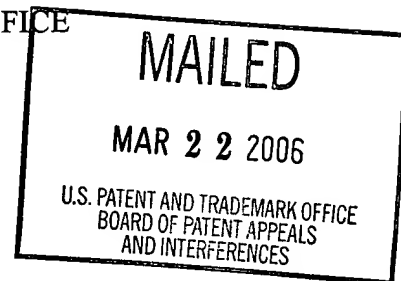


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte: THOMAS ECKEL, NIKOLAUS JANKE;
UWE PEUCKER; ANDREAS SEIDEL and DIETER WITTMANN

Application No. 09/911,268

ORDER RETURNING UNDOCKETED APPEAL

This application was received electronically at the Board of Patent Appeals and Interferences on January 24, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed a Petition To Expunge Under 37 C.F.R. § 1.59 (hereinafter "Petition") on February 2, 2006. It is not clear from the record whether or not the "Petition" has been considered. Acknowledgment of such consideration is required.

Application No. 09/911,268


Accordingly, it is

ORDERED that the application is returned to the examiner for:

- 1) consideration and proper written response to the Petition To Expunge Under 37 C.F.R. § 1.59, filed February 2, 2006; and
- 2) for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e. abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read "Dale M. Shaw", is written over a horizontal line.

DALE M. SHAW
PROGRAM AND RESOURCE
ADMINISTRATOR
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DMS/dpv

Application No. 09/911,268

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